

# Maryland Access to Justice Commission

April 7, 2017

# Maryland Access to Justice Commission

- Unites leaders to make the civil justice system accessible, user-friendly and fair for all Marylanders
- Includes Attorney General, Deans of both Law Schools, Heads of Legal Services Providers & Funders, Corporate Counsel, Law Firm Partners, Academics and representatives from Judiciary and Maryland State Bar Association
- Used to part of Judiciary, now independent

# Mission

- One of the key aspects of the Commission's mission is to raise awareness about and increase funding for civil legal aid.



# Civil Legal Aid

- Civil legal aid is a combination of services and resources that helps Marylanders of all backgrounds - including those who face the toughest legal challenges: children, veterans, seniors, ill or disabled people, and victims of domestic violence - to effectively navigate the justice system. Civil legal aid helps ensure fairness for all in the justice system, regardless of how much money you have.

# Civil Legal Aid

- Civil legal aid connects Marylanders with a range of services—including legal assistance and representation; self-help centers and other court-based services, free legal clinics and pro-bono assistance, and access to web-based information and forms—that help guide them through complicated legal proceedings. In doing so, civil legal aid helps Marylanders protect their livelihoods, their health, and their families.

# Existing Civil Legal Aid Infrastructure

- Over 35 organizations
- Statewide
- Direct representation, pro-bono, advice, self-help, law school clinics
- Broad range of subject areas - domestic violence, public benefits, custody, LGBTQ rights, evictions and foreclousre, immigration



# VOCA Needs Assessment

Early 2016, GOCPP conducted a needs assessment to determine how best to expend funds - and for the first time, they have determined the provision of legal services as a priority for funding

# The Importance of Legal Services to Victims of Crime

- No right to appointed counsel in most civil cases



# Importance of Legal Services to Victims of Crime

- Having representation by an attorney greatly impacts the outcome of the case
  - MD study about appeal outcomes in denial of public benefits cases:
    - Rate of reversal for unrepresented: 40 - 45%
    - Rate of reversal for represented: doubled to 70 - 80%
  - MD study of consumers sued by debt buyers:
    - Dismissals or judgments for defendants for unrepresented: 23%
    - Dismissals or judgments for defendants for represented: 71%
  - MD domestic violence study:
    - Rate of acquiring protective order with counsel: 83%
    - Rate of acquiring protective order without counsel: 32%

# Importance of Legal Services to Victims of Crime

- Domestic Violence Case Study and Others
  - Saves Public Money
    - Reduces repeat incidents of domestic violence “significantly” - by 21%
    - Reduces costs associated with medical care for injured victims, special education and counseling, police and prison resources
    - Reduces property losses of victims and increases productivity (victims lose 8 million paid work days annually, equivalent to 32,000 full-time jobs)
  - Other studies show that civil legal aid also reduces evictions, helps children leave foster care more quickly, improves health



# GOCCP Needs Assessment

While GOCPP will continue to give precedence to previously funded core areas of victims of sexual assault, victims of domestic violence, victims of child abuse, and generally to underserved populations, it is looking to expand victims services to other areas including elder abuse, identity theft, financial crimes, fraud, mortgage fraud, and services to crimes against LGBT individuals, disabled persons and persons of racial and ethnic minorities.



# Lesser Known Civil Legal Services Areas that Help Victims of Crime in MD

- Brian Dittmeier - Disability Rights Maryland
  - Neglect and Abuse of Disabled Persons
- Samantha McGovern - Baltimore City Bar Foundation
  - Elder Abuse
- Cheryl Hystad - Civil Justice
  - Consumer Fraud